

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

PETER HANSEN,	)	Case No.: 12-CV-00053-LHK
	)	
Plaintiff,	)	
	)	ORDER DISMISSING CASE
v.	)	
	)	
DAVID YOUNGBLUTH,	)	
	)	
Defendant.	)	

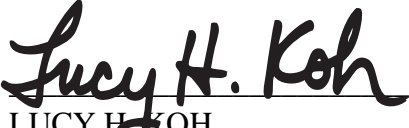
---

On May 31, 2012, the Court issued an Order to Show Cause (“OSC”) why this case should not be dismissed for failure to comply with Federal Rule of Civil Procedure 4(m). ECF No. 5. The Court issued the OSC because more than 120 days had passed since Plaintiff Peter Hansen (“Plaintiff”) filed his complaint on January 4, 2012, and Plaintiff had not filed proof of service of the Summons and Complaint on Defendant David Youngbluth, as Plaintiff was required to do under Rule 4(m). The OSC required Plaintiff to respond to the OSC by June 14, 2012, and to attend an OSC hearing on June 21, 2012. The OSC notified Plaintiff that the case would be dismissed without prejudice if Plaintiff failed to respond to the OSC and to appear at the OSC hearing. The OSC was mailed to Plaintiff at his last known address and was returned as undeliverable. *See* ECF No. 6. The Courtroom Deputy called Plaintiff at his last known telephone number and left a voicemail message informing Plaintiff that he was required to attend the June 21, 2012 OSC hearing.

Plaintiff failed to respond to the OSC and failed to appear at the OSC hearing. Accordingly, this action is DISMISSED without prejudice for failure to comply with Federal Rule of Civil Procedure 4(m). The Clerk shall close the file.

**IT IS SO ORDERED.**

Dated: June 25, 2012

  
LUCY H. KOH  
United States District Judge

United States District Court  
For the Northern District of California